

PD-1346-17

**IN THE COURT OF CRIMINAL APPEALS
FOR THE
STATE OF TEXAS**

FILED
COURT OF CRIMINAL APPEALS
5/11/2018
DEANA WILLIAMSON, CLERK

PABLO ALFARO JIMENEZ

V. Appeals No. 04-16-00188-CR

THE STATE OF TEXAS

**MOTION FOR EXTENSION OF TIME TO FILE
APPELLANT'S BRIEF ON PETITION FOR DISCRETIONARY
REVIEW**

TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL
APPEALS:

COME NOWS, Angela J. Moore, counsel for PABLO ALFARO-
JIMENEZ, and files this motion asking that the Court extend the time
for filing the Appellant's brief on petition for discretionary review,
and in support thereof, offers the following:

I.

- a. This case is on appeal from 186th District Court of Bexar County, Texas.
- b. The style and number of the cases in the trial court are *The State of Texas v. PABLO ALFARO JIMENEZ*, Cause Number 2014-CR-9248.
- c. The Appellant was convicted by the Court of the offense of Tampering with Government Records-MISD.

- d. Punishment was assessed by the jury at 2 years probation.
- e. The style and number of the case in the Fourth Court of Appeals is *PABLO ALFARO JIMENEZ v. State of Texas*, Appeal Number 04-16-00188-CR.
- f. The Fourth Court of Appeals affirmed Appellant's conviction and sentence in an unpublished opinion on August 2, 2017.
- g. The Court of Criminal Appeals granted Appellant's Petition for Discretionary Review on April 11, 2018.
- h. The present deadline for filing the Appellant's brief on Petition for Discretionary Review is May 11, 2018.
- i. The Appellant seeks an extension of time of 30 days, suggesting a new due date of June 11, 2018 (the 30th day falls on a Sunday; hence, the next business day would be Monday, June 11, 2018).
- j. This is the Appellant's first request for an extension of time to file the Appellant's brief on petition for discretionary review.

II.

This extension is not sought for the purpose of delaying this appeal, but for the following reasons:

- 1. Counsel for Appellant has recently completed briefing in the following cases:
 - a. *The State of Texas v. Reynaldo Garcia*, 2010-CR-7744,
Writ of Habeas Corpus;
 - b. *James Kotara v. The State of Texas*, B-14-642; Writ of
Habeas Corpus;

- c. *Laura Day v. The State of Texas*, 13-13-00338-CR,
Writ of Habeas Corpus;
 - d. *Joel Rojo v. State*, 11-17-00225-CR, 11-17-00226-CR,
11-17-00227-CR, 11-17-00228-CR; Direct Appeal;
 - e. *Michael Castilla v. United States of America*, 17-
50832; Direct Appeal
 - f. *Stephen Roberts v. The State of Texas*; 12-18-00032-
CR; Motion for New Trial Hearing
 - g. *Michael Sosa v. State*; 2007-CR-2739; Writ of Habeas
Corpus;
 - h. *In re: Deborah Silva*, 04-18-00112-CV, Response to
Writ of Mandamus
 - i. *Stacie Parsons v. State*, 12-16-00330-CR; Oral
Argument at Twelfth Court of Appeals
 - j. *Archie Jenkins v. United States of America*, 17-50811;
Direct Appeal;
 - k. *Oscar Perez v. State*, 04-17-00492-CR; Direct Appeal;
 - l. *Ruben Rios v. State*, 04-17-00652-CV; Direct Appeal
2. Counsel is currently completing the following cases:
- a. *Perry Mayfield v. State*; 04-14-00274-CR, Writ of
Habeas Corpus;

- b. *Billy Hasel v. State*, 12-14-00101-CR, Writ of Habeas Corpus
- c. *Trevor Zachary Mays v. State*, 2012-CR-6772 and 2013-CR-4032, Writ of Habeas Corpus
- d. *Michael Lewis v. The State of Texas*, CR 30,418; Writ of Habeas Corpus;
- e. *Ralph Rodriguez v. The State of Texas*, 1996-CR-0859B, Writ of Habeas Corpus
- f. *Delridge Clark v. State*, 2014-CR-1658; Writ of Habeas Corpus;
- g. *Korbin Czibik v. State*, 08-16-00188-CR; Writ of Habeas Corpus;
- h. *Willie Floyd v. State*, 04-16-00320-CR; Writ of Habeas Corpus;
- i. *Donald Linder v. State*, 03-00-00624-CR; Writ of Habeas Corpus;
- j. *Russel Harshaw v. The State of Texas*; PD-0417-18; Petition for Discretionary Review
- k. *Stephen Roberts v. The State of Texas*; 12-18-00032-CR; Direct Appeal

l. Chelsea Putnam v. State; 24718; Writ of Habeas Corpus;

m. Timothy Wade Foth v. State; 03-18-00085-CR; Direct Appeal;

n. Benjamin Elias v. State; 970D11232; Writ of Habeas Corpus;

o. Daniel Rodriguez v. State; CR-3423-06-C; Writ of Habeas Corpus;

p. Russel Harshaw v. State; 04-17-00796-CR; Petition for Discretionary Review

III.

A criminal appellant, just like a criminal defendant at trial, is entitled to the adequate and effective assistance of counsel. *Evitts v. Lucey*, 469 U.S. 387, 396 (1985); *Ward v. State*, 740 S.W. 2d 794 (Tex.Crim.App. 1987). In order to be able to accurately identify and effectively brief all the potential issues presented in this case, counsel for Appellant needs additional time to review the record and conduct the necessary research to adequately prepare Appellant's Brief on Petition for Discretionary Review. This request is made pursuant to TEX. R. APP. P. 68.2 (c).

IV.

Therefore, for the above reasons, Counsel for Appellant prays that the Court grant an extension of time to June 11, 2018, for filing of the Appellant's Brief on Petition for Discretionary Review.

Respectfully submitted,

/s/Angela J. Moore
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CERTIFICATE OF SERVICE

I, ANGELA J. MOORE, hereby certify that a true and correct copy of the foregoing instrument has been electronically served to the Bexar County District Attorney's Office, Paul Elizondo Tower, 101 W. Nueva St., San Antonio, Texas 78205, on this the 11th day of May 2018.

/s/Angela J. Moore
ANGELA J. MOORE